

SENATE BILL 721

L2, M3

11r2546
CF HB 661

By: **Senator Pinsky**

Introduced and read first time: February 4, 2011

Assigned to: Education, Health, and Environmental Affairs and Finance

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 25, 2011

CHAPTER _____

1 AN ACT concerning

2 **Prince George's County – Authority to Impose Fees for Use of Disposable**
3 **Plastic Bags**

4 FOR the purpose of authorizing Prince George's County to impose, by law, a fee on
5 certain retail establishments for use of disposable ~~plastic~~ bags under certain
6 circumstances; defining certain terms; and generally relating to the authority
7 for Prince George's County to impose a fee for use of disposable ~~plastic~~ bags.

8 BY adding to

9 The Public Local Laws of Prince George's County
10 Section 10–283 to be under the new division “Division 16. Fees for Use of
11 Disposable ~~Plastic~~ Bags”
12 Article 17 – Public Local Laws of Maryland
13 (2007 Edition, as amended)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article 17 – Prince George's County**

17 **DIVISION 16. FEES FOR USE OF DISPOSABLE ~~PLASTIC~~ BAGS.**

18 **10–283.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE**
2 **MEANINGS INDICATED.**

3 **(2) (A) “DISPOSABLE ~~PLASTIC~~ BAG” MEANS A PAPER OR**
4 **PLASTIC BAG PROVIDED BY A STORE TO A CUSTOMER AT THE POINT OF SALE.**

5 **(B) “DISPOSABLE ~~PLASTIC~~ BAG” DOES NOT INCLUDE:**

6 **(I) A DURABLE PLASTIC BAG WITH HANDLES THAT IS**
7 **AT LEAST 2.25 MILS THICK AND IS DESIGNED AND MANUFACTURED FOR**
8 **MULTIPLE REUSE;**

9 **(II) A BAG USED TO:**

10 **(AA) PACKAGE BULK ITEMS, INCLUDING FRUIT,**
11 **VEGETABLES, NUTS, GRAINS, CANDY, OR SMALL HARDWARE ITEMS;**

12 **(BB) CONTAIN OR WRAP FROZEN FOODS, MEAT, OR**
13 **FISH, WHETHER PREPACKAGED OR NOT;**

14 **(CC) CONTAIN OR WRAP FLOWERS, POTTED PLANTS,**
15 **OR OTHER DAMP ITEMS;**

16 **(DD) CONTAIN UNWRAPPED PREPARED FOODS OR**
17 **BAKERY GOODS; AND**

18 **(EE) CONTAIN A NEWSPAPER OR DRY CLEANING;**

19 **(III) A BAG PROVIDED BY A PHARMACIST TO CONTAIN**
20 **PRESCRIPTION DRUGS;**

21 **(IV) PLASTIC BAGS SOLD IN PACKAGES CONTAINING**
22 **MULTIPLE PLASTIC BAGS INTENDED FOR USE AS GARBAGE, PET WASTE, OR**
23 **YARD WASTE BAGS; AND**

24 **(V) A BAG THAT A RESTAURANT PROVIDES TO A**
25 **CUSTOMER TO TAKE FOOD OR DRINK AWAY FROM THE RESTAURANT.**

26 **(3) “STORE” MEANS A RETAIL ESTABLISHMENT THAT PROVIDES**
27 **DISPOSABLE ~~PLASTIC~~ BAGS TO ITS CUSTOMERS AS A RESULT OF THE SALE OF A**
28 **PRODUCT.**

1 **(B) THE COUNTY ~~OR MUNICIPAL CORPORATION~~ MAY IMPOSE, BY LAW, A**
2 **FEE ON A STORE FOR THE USE OF DISPOSABLE ~~PLASTIC~~ BAGS AS A PART OF A**
3 **RETAIL SALE OF PRODUCTS.**

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2011.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.